

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA**

CHESAPEAKE ENERGY CORPORATION

v.

TXD SERVICES LP.

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**EXHIBIT AND WITNESS LIST**

Case Number: 5:07-cv-00318-C

PRESIDING JUDGE	PLAINTIFF'S ATTORNEY	DEFENDANT'S ATTORNEY
Robin J. Cauthron, Chief Judge	Jesse R. Pierce	Lance E. Leffel
TRIAL DATE(S)	COURT REPORTER	COURTROOM DEPUTY
February 11, 2008 -	Greg Blossom	Linda Goode

PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
1					02/16/06	Daywork Drilling Contract re rig 201 [CHK Disclosure Ex. 1]
2					02/16/06	Daywork Drilling Contract re rig 202 [CHK Disclosure Ex. 2]
3					02/16/06	Daywork Drilling Contract re rig 203 [CHK Disclosure Ex. 3]
4					02/16/06	Daywork Drilling Contract re rig 204 [CHK Disclosure Ex. 4]
5					11/10/05	Darvin Knapp e-mail to Joe Poe re possibility of contracting 4-7 drilling rigs [Def. Depo. Ex. 1]
6					11/11/05	Joe Poe e-mail to Darvin Knapp re rig proposal [CHK00000067; Def. Depo. Ex. 2; TXD00010]
7					11/15/05	Email string between Joe Poe and Darvin Knapp re mobile rigs for Arkansas and observing a Schramm rig [CHK00000130; Def. Depo. Ex. 4; TXD00013]
8					11/16/05	Joe Poe e-mail to Darvin Knapp re rig running outside of Fort Worth, TX [TXD-00015]
9					01/09/06	Joe Poe e-mail to Darvin Knapp re inability to reach Dave Winchester and Chesapeake's interest in the new rigs [CHK00000192; TXD-00018]
10					01/09/06	Joe Poe e-mail to Darvin Knapp re small window to obtain additional carrier rigs and trailer rigs [CHK00000193; TXD-00019]

\*Include a notation as to the location of any exhibit not held with the case file or not available because of size.

PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
11					01/12/06	Frank Gabriel (Schramm) letter to TXD re Telemast Depth Ratings [S000011, Def. Depo. Ex. 8, Schramm Depo. Ex. 1]]
12					01/17/06	Joe Poe e-mail to Darvin Knapp re Daywork Drilling Contract information needed and estimate casing program [TXD-00021]
13					01/23/06	Greg Pearce e-mail to Davin Knapp transmitting Schramm's 1/12/06 letter [CHK00000049; Def. Depo Ex. 32]
14					01/24/06	Steve Donley e-mail to David Youngblood and Matt Routh re torque/drag analysis [Def. Depo. Ex. 6]
15					01/25/06	Joe Poe e-mail to Darvin Knapp transmitting rough draft day work contract and two options for air package [TXD-00023 (no attachment)]
16					01/25/06	Joe Poe email to Darvin Knapp, et al. transmitting draft contract [CHK00000069 - CHK00000070]
17					01/25/06	Email string between Matt Routh, Steve Donley, et al regarding torque/drag analysis and TXD willing to put in contract max 230K over pull with max depth rating of 10,000' [CHK00000071 - CHK00000073]
18					01/27/06	Joe Poe e-mail to Darvin Knapp transmitting final day work contract for review and exhibit "A" containing paragraph concerning the 230,000 lb gross pull [CHK00000054 - CHK00000055; Def. Depo. Ex. 7 (without attachment)]
19					02/07/06	Joe Poe e-mail to Darvin Knapp transmitting revised drilling contract as revised per Greg's instructions. [CHK00000052 - CHK00000053]
20					02/08/06	Joe Poe e-mail to Darvin Knapp re emailing contract verbage [CHK00000206]
21					02/08/06	Email string between Joe Poe and Darvin Knapp re mud pit requirements [TXD00028 - TXD00029]
22					02/08/06	Joe Poe e-mail to Darvin Knapp re don't forget contract verbage [CHK00000209; TXD00032]

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23					02/09/06	Darvin Knapp e-mail to Joe Poe providing early termination verbage for contract [CHK010000134; TXD00033-TXD00034]
24					02/09/06	Joe Poe e-mail to Darvin Knapp transmitting final revised contact [CHK000000056 - CHK000000057]
25					02/10/06	Joe Poe e-mail to Darvin Knapp re getting contracts signed and having tentative meeting with Shell to discuss them taking the rigs [CHK000000208; TXD-00036]
26					02/10/06	Joe Poe e-mail to Darvin Knapp re comments on contract paragraphs [CHK000000207; TXD-00037]
27					02/14/06	Joe Poe e-mail to Darvin Knapp, et al. re air packages [TXD00038]
28					02/16/06	Email string between Steve Miller, Randy Patterson, David Knapp, et al. (forwarded to Joe Poe and Greg Pearce on 2/17/06) re confirming that the rig can safely pull 230,000 lbs. [CHK000000107; TXD-00040]
29					02/17/06	Joe Poe e-mail to Darvin Knapp re received the pull rating from Schramm [CHK000000068; TXD-00041; Plt. Depo. Ex. 2]
30					02/17/06	Greg Pearce e-mail to Davrin Knapp, et al. transmitting Schramm 1/12/06 letter and stating rating done with 4 ½ drill pipe at #16.6/ft [CHK000000076 - CHK000000077]
31					02/17/06	Randy Patterson e-mail to Greg Pearce re questions relating to Schramm's letter and the rig's capacity [CHK000000095 - CHK000000096]
32					02/17/06	Darvin Knapp e-mail to Ron Golf, et al. re Poe to bring Schramm rep to go over the pull rating, and any another questions engineering may have [CHK000000106]
33					02/17/06	Greg Pearce e-mail to Randy Petterson, et al. replying to questions about the rig's capacity [CHK000000104 - CHK000000105]
34					02/17/06	Randy Patterson e-mail to Greg Pearce re excellent explanation and looking forward to meeting Schramm rep. [Def. Depo. Ex. 9]

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35					02/17/06	Mark Deal e-mail to Randy Patterson, et al. rigs should work fine for Fayetteville and suited for 90% of Arkoma [CHK00000100]
36					02/17/06	Darvin Knapp e-mail to Steven Donley re running hydraulics for rigs [CHK00000015]
37					02/17/06	Steve Miller e-mail to Randy Patterson and Greg Pearce re contacts are signed and delivered, good to go as is [CHK00000098; Def. Depo. Ex. 33]
38					02/17/06	Mark Deal e-mail to Steven Donley re rigs have 1000 HP pumps and models needed [CHK00000127]
39					02/17/06	Joe Poe e-mail re receipt of contracts [CHK00000205; TXD00042]
40					07/19/06	Randy Peterson e-mail to John Striplin, Steve Donley, et al re status of TXD rigs for Arkoma [CHK00000093]
41					07/19/06	Email string between Darvin Knapp and Randy Peterson re loaner of Rig 102 [CHK00000092]
42					07/20/06	Email string between Davrin Knapp and Randy Peterson re picking up loaner rig until and negotiating favorable rate that reflects helping TXD out [CHK00000094]
43					07/23/06	Email string between Greg Pearce and Randy Peterson re proposal for loaner rig [CHK00000085]
44					08/03/06	Steve Miller e-mail re rig commitments and needs by area - 3 rigs coming from TXD for the Fayetteville Shale; Arkoma will have TXD 101 in September and work well to well until TXD 201 arrives [CHK00007870]
45					08/18/06	Mark Deal e-mail to Dave Winchester, et al re TXD rig update - Rig 201 expected to be ready for rig-up on 10/31 [CHK00000117]
46					09/12/06	Dave Winchester e-mail to Brian Winter, et al. re rig schedule for Rigs 201-204 [CHK00008015]

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47					09/20/06	Steve Miller e-mail to John Kapchinske, et al. re rig commitments by area - Fayetteville Shale has 2 TXD rigs on their way [CHK0009454 - CHK00009456]
48					10/25/06	Greg Pearce e-mail to Steve Donley re Rig #201 will be in TXD's yard the first week of November. [CHK00000074]
49					11/14/06	Rene St. Pierre e-mail to Darvin Knapp, et al. re rig schedule - Rig 201 scheduled for Fayetteville Shale in early December [CHK00010413]
50					11/21/06	Steve Donley e-mail to Dave Winchester, et al. re Rig #201 should be on location mid-December [CHK00000131]
51					12/07/06	Brian Winter e-mail forwarding Arkansas Management Meeting Agenda [CHK00010881 - CHK00010884]
52					12/23/06	Aubrey McClendon e-mail to Bob Portman and Brian Winter, et al. re management meeting, rig delays, and status of the TXD rigs [CHK00000001]
53					12/23/06	Darvin Knapp e-mail to Aubrey McClendon, et al. re good chance of receiving both TXD 201 and Nomac 38 - 75% chance of meeting the remainder delivery dates [CHK00000003]
54					12/24/06	Email string between Aubrey McClendon and Mark Lester re moving rigs in from elsewhere and then replacing with the new rigs or wait until 2/1 for the rigs arrival [CHK00000006; Def. Depo. Ex. 12]
55					12/27/06	Email string between Scott Sachs and Darvin Knapp, et al. re Fayetteville Shale drilling schedule [CHK00000004; Def. Depo. Ex. 13 (partial)]
56					01/06/07	Darvin Knapp e-mail to Steve Dixon, et al. re rig roll out [CHK00000304]
57					01/15/07	Steve Donley e-mail to Mark Bottrell, et al. re next locations for Fayetteville - TXD #201 to the Harper 1-1H [CHK00018397]

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58					01/19/07	Steve Donley e-mail to Rene St. Pierre, et al. transmitting photos from the TXD rig show and anticipating moving rig out of the yard on 1/25 [CHK00000212 - CHK00000234]
59					01/19/07	E-string between Steve Donley, Mark Bottrell, et al. re next location for Fayetteville and need TXD 201 footprint [CHK00015843 - CHK00015844]
60					01/23/07	Steve Donley e-mail to Rene St. Pierre re Report - Rig #201 expected to arrive 1/27 [CHK00018998]
61					01/24/07	Steve Donley e-mail to Rene St. Pierre re Report - Rig #201 moving 1/30 or 1/31 [CHK00000238]
62					01/24/07	E-mail from Connie Turner transmitting active rig list as of 1/23/07 [CHK00000239 - CHK00000240]
63					01/26/07	Darvin Knapp e-mail to Scott Sachs re roll out dates for TXD rigs still good [CHK00000241]
64					01/29/07	Steve Donley e-mail to Rene St. Pierre re Report - Rig #201 moving Wed/Thur of this week [CHK00019326]
65					02/01/07	Steve Donley e-mail to Rene St. Pierre, et al. re TXD #201 to move this weekend [CHK00000308]
66					02/02/07	Janie Lambert e-mail to Aubrey McClendon, et al. re Fayetteville Drilling Update - waiting for TXD 201 to move on location [CHK00019005 - CHK00019010]
67					02/05/07	E-mail string re location for TXD #201 and a few loads have left the yard [CHK00000307]
68					02/06/07	Steve Donley e-mail to Rene St. Pierre re Report - moving TXD #201 onto location [CHK00015868]
69					02/07/07	Connie Turner e-mail to Becky Cassel, et al. transmitting active rig list [CHK00000235 - CHK00000236]
70					02/08/07	Dave Winchester e-mail to Steve Donley, Rene St. Pierre, and Richard Thompson re issues with TXD 201 rig [CHK00000237]

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71					02/09/07	Greg Hiller e-mail to Ed Breiner, et al. re daily report re Rig #201 and conversation with Andy Stone [S000083; Schramm Depo. Ex. 6]
72					02/09/07	Janie Lambert e-mail to Aubrey McClendon, et al. re Fayetteville Drilling Completion Update - TXD #201 is currently rigging up.
73					02/09/07	E-mail string between Richard Thompson and Darwin Knapp re can only pull 180k on the rig and intermittently pulling to 230k [CHK00000268]
74					02/12/07	E-mail string between Rene St. Pierre and Steve Donley re limitations of TXD 201 [CHK00000379]
75					02/16/07	E-mail from Steve Donley to Rene St. Pierre transmitting Pathfinder calculations for the total depth for the TXD rigs. [CHK00000261 - CHK00000265; Def. Depo. Ex. 19]
76					02/19/07	Joe Poe e-mail to Bob Costello re pull test to be conducted at GTI test facility [CHK00000252]
77					02/20/07	Joe Poe e-mail to Bob Costello re his understanding of the IADC contract [CHK00000247; TXD00060; Plf Depo. Ex. 3]
78					02/20/07	Greg Hiller e-mail to Ed Breiner, et al. re daily report re Rig #201 - Schramm has been asked to provide instructions to boost hydraulic pressures t increase pullback for test on a one time basis [S000072]
79					02/21/07	Greg Hillier e-mail to Ed Breiner re thoughts on implications of pull test; strategy, and update [S000065; Schramm Depo. Ex. 8]
80					02/23/07	Ed Breiner e-mail to Joe Poe re issues with setting valve above its factory setting of 4500 psi [S000044; Schramm Depo. Ex. 4]
81					02/23/07	Email string between Joe Poe and Ed Breiner re adjusting hydraulic pressure and consequences [S000042; Schramm Depo. Ex. 3]
82					02/26/07	Joe Poe e-mail to Bob Costello re results of pull test [Def. Depo. Ex. 21]
83					02/28/07	Woodslayer report [CHK00000295; S000020 - S000022; Schramm Depo. Ex. 10]

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84					03/01/07	Greg Hillier e-mail to Joe Poe re Woolslayer test and pressure calculations [S000032; Schramm Depo. Ex. 9]
85					03/06/07	E-mail string between Greg Hillier and Bob Costello re Schramm has reevaluated the hoist system to intermittent hoist rating of 200k; meeting to be a technical discussion
86					03/06/07	Greg Hillier e-mail to Joe Poe re new intermittent rating for TXD [S000023]
87					03/08/07	Woolslayer Report - Revision 1 [Def. Depo. Ex. 22]
88					09/24/07	Al Gollatz e-mail to Lance Leffel and Jesse Pierce re Schramm declines to participate in testing
89						API Specification 4F - Specifications for Drilling and Well Servicing Structures [Schramm Depo. Ex. 12]
90						API Specification 8C - Specification for Drilling and Production Hoisting Equipment [Schramm Depo. Ex. 13]
91						API Recommended Practice 8C - Recommended Practices for Drilling and Production Hoisting Equipment
92						API Specification 4G - Use and Procedures for Inspection, Maintenance, and Repair of Drilling and Well Servicing Structures
93						API Recommended Practice 4G - Recommended Practice for Use and Procedures for Inspection, Maintenance, and Repair of Drilling and Well Servicing Structures
94						29 C.F.R. § 1910
95						29 C.F.R. § 1903.1 - General Duty Clause of the Occupational Safety and Health Act
96						Sales Brochure re T130XD
97						TXD Rotadrill specs from Schramm website (printed 12/17/2007)
98						All documents requested from Defendant (but not yet produced as of this date), including without limitation, all replacement drilling contracts obtained by Defendant for Rigs 201 - 204 and a copy of the dealership agreement between Schramm and Premium Pipe.

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<b>WITNESSES</b>	
<p>Darvin Knapp Vice President - Drilling Southern Division Chesapeake Energy Corporation 6100 N. Western Avenue Oklahoma City, OK 73118 (405) 848-8000</p>	<p>Mr. Knapp will testify regarding the negotiation of the drilling contracts and the failure of Defendant to furnish drilling rigs that met Defendant's representations and the requirements of the drilling contracts.</p>
<p>Joseph Kennedy Drilling Safety Manager 6100 N. Western Avenue Oklahoma City, OK 73118 (405) 848-8000</p>	<p>Mr. Kennedy will testify regarding Chesapeake's safety policies and procedures, as its compliance with the regulatory provisions of the Occupational Safety and Health Administration.</p>
<p>Steven W. Miller Senior Vice-President - Drilling Chesapeake Energy Corporation 6100 N. Western Avenue Oklahoma City, OK 73118 (405) 848-8000</p>	<p>Mr. Miller will testify regarding the negotiation of the drilling contracts and the failure of Defendant to furnish drilling rigs that met Defendant's representations and the requirements of the drilling contracts.</p>
<p>Dave Winchester District Manager - Arkoma Chesapeake Energy Corporation 6100 N. Western Avenue Oklahoma City, OK 73118 (405) 848-8000</p>	<p>Mr. Winchester will testify regarding the negotiation of the drilling contracts and the failure of Defendant to furnish drilling rigs that met Defendant's representations and the requirements of the drilling contracts.</p>
<p>Randy Patterson Senior Drilling Engineer Chesapeake Energy Corporation 6100 N. Western Avenue Oklahoma City, OK 73118 (405) 848-8000</p>	<p>Mr. Patterson will testify regarding the negotiation of the drilling contracts and the failure of Defendant to furnish drilling rigs that met Defendant's representations and the requirements of the drilling contracts.</p>
<p>Mark Deal Manager - Drilling Engineering, Northern Division Chesapeake Energy Corporation 6100 N. Western Avenue Oklahoma City, OK 73118 (405) 848-8000</p>	<p>Mr. Deal will testify regarding the negotiation of the drilling contracts and the failure of Defendant to furnish drilling rigs that met Defendant's representations and the requirements of the drilling contracts.</p>
<p>Richard Thompson Drilling Superintendent Chesapeake Energy Corporation 6100 N. Western Avenue Oklahoma City, OK 73118 (405) 848-8000</p>	<p>Mr. Thompson will testify regarding conversations with representatives of TXD and Schramm.</p>

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<p>Steve Donley Drilling Engineer Chesapeake Energy Corporation 6100 N. Western Avenue Oklahoma City, OK 73118 (405) 848-8000</p>	<p>Mr. Donley will testify matters relating to rig needs.</p>
<p>Duane Yost Yost Drilling Company c/o Chesapeake Energy Corporation 6100 N. Western Avenue Oklahoma City, OK 73118 (405) 848-8000</p>	<p>Mr. Yost may testify regarding drilling rigs.</p>
<p>Sam McCaskill Nomac Drilling Company Chesapeake Energy Corporation 6100 N. Western Avenue Oklahoma City, OK 73118 (405) 848-8000</p>	<p>Mr. McCaskill may testify regarding drilling rigs.</p>
<p>Greg Pearce Mid-Continent Regional Manager SPS International 727 North Morgan Road Oklahoma City, OK 73127 (405) 324-5360</p>	<p>Mr. Pearce will testify regarding the negotiation of the drilling contracts.</p>
<p>Joe Poe Managing Partner West Fork Energy Company, LLC 6300 Ridglea Place, Suite 210 Fort Worth, TX 16116 (817) 546-3000</p>	<p>Mr. Poe has knowledge of facts regarding the negotiation of the drilling contracts and the failure of Defendant to furnish drilling rigs that met Defendant's representations and the requirements of the drilling contracts.</p>
<p>Ed Breiner President Schramm, Inc. 800 E. Virginia Avenue West Chester, PA 19380 (610) 696-2500</p>	<p>Mr. Breiner will testify regarding the specifications and capabilities of Schramm TXD 180 rigs, and facts regarding the information that Schramm, Inc. provided to TXD regarding Schramm TXD 180 rigs.</p>
<p>Frank C. Gabriel, Jr., P.E. Vice-President Sales Schramm, Inc. 800 E. Virginia Avenue West Chester, PA 19380 (610) 696-2500</p>	<p>Mr. Gabriel will testify regarding the specifications and capabilities of Schramm TXD 180 rigs, and facts regarding the information that Schramm, Inc. provided to TXD regarding Schramm TXD 180 rigs.</p>

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Greg Hillier Engineer Schramm, Inc. 800 E. Virginia Avenue West Chester, PA 19380 (610) 696-2500	Mr. Hillier will testify regarding the specifications and capabilities of Schramm TXD 180 rigs, facts regarding the information that Schramm, Inc. provided to TXD regarding Schramm TXD 180 rigs, facts regarding the Schramm TXD 180 rig provided to Plaintiff by Defendant, and facts regarding the “testing” supposedly performed on the Schramm TXD 180 rig provided to Plaintiff by Defendant.
Norm Bennett Engineer Schramm, Inc. 800 E. Virginia Avenue West Chester, PA 19380 (610) 696-2500	Mr. Bennett will testify regarding the specifications and capabilities of Schramm TXD 180 rigs, facts regarding the information that Schramm, Inc. provided to TXD regarding Schramm TXD 180 rigs, facts regarding the Schramm TXD 180 rig provided to Plaintiff by Defendant, and facts regarding the “testing” supposedly performed on the Schramm TXD 180 rig provided to Plaintiff by Defendant.
Dewayne G. Vogt Chief Engineer Woolslayer Companies, Inc. P.O. Box 216 Tulsa, OK 74101 (918) 523-9191	Mr. Vogt will testify regarding the “testing” supposedly performed on the Schramm TXD 180 rig provided to Plaintiff by Defendant.
Jerry Bell Woolslayer Companies, Inc. P.O. Box 216 Tulsa, OK 74101 (918) 523-9191	Mr. Bell will testify regarding the “testing” supposedly performed on the Schramm TXD 180 rig provided to Plaintiff by Defendant.
Terry L. Brittenham Professional Engineer Southern International, Incorporated 4200 Perimeter Center Dr., Suite 205 Oklahoma City, OK 73112-23921 (405) 943-5288	Mr. Brittenham has been retained by Plaintiff to provide expert testimony regarding industry customs and standards, and whether the Schramm TXD 180 rigs could reliably, safely, and efficiently perform pursuant to the terms of the contracts.
Mark Trevithick Professional Engineer T&T Engineering Services, Inc. 13430 Northwest Fwy., Suite 204 Houston, TX 77040 (713) 460-9898	Mr. Trevithick has been retained by Plaintiff to provide expert testimony regarding API specifications and AISC Code for drilling and production hoisting equipment.

Plaintiff and its experts may utilize demonstrative aids to assist with the presentation of evidence.

As discovery is still being conducted, Plaintiff reserves the right to supplement this list with additional exhibits and witness that may be revealed in the remaining discovery in this case.

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Respectfully submitted,

By: s/Jesse R. Pierce  
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ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I hereby certify that on December 21, 2007, I served the foregoing document via certified mail, return receipt requested, and e-mail to:

Lance E. Leffel  
Mark K. Stonecipher  
Terry W. Tippens  
Fellers Snider Blankenship Bailey & Tippens P.C.  
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I further certify that on January 3, 2008, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Lance E. Leffel  
Mark K. Stonecipher  
Terry W. Tippens  
Fellers Snider Blankenship Bailey & Tippens P.C.  
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/s/Jesse R. Pierce  
Jesse R. Pierce

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